



**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS**

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C32  
Serial No.: 09/902,903 Group Art Unit: 1647  
Filing Date: July 10, 2001 Examiner: Bridget E. Bunner  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
OCT 27 2003  
TECH CENTER 1600/2900

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated May 19, 2003 of the Primary Examiner finally rejecting Claims 39-43. The item(s) marked below are appropriate:

☒ An extension of time to respond to the final rejection for two month(s) has been requested and filed with the response to the office action.

Filing Fee:

☐ \$165 (small entity)  
☒ \$330 (large entity)

Time Extension Fee (if applicable):

☐ one month (\$110 large entity)  
☐ two months (\$420 large entity)  
☐ three months (\$950 large entity)

☐ Enclosed is a check in the amount of \$ [REDACTED]

**CERTIFICATE OF MAILING (37 CFR 1.10(a))**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on October 20, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EV34672552US** addressed to: Mail Stop: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 20, 2003

*Cheryl Ann Rogers*  
Cheryl Ann Rogers

☒ Return prepaid postcard.

☒ The Commissioner is authorized to charge the required fees, additional fees, or credit any overpayment to Deposit Account 08-1641.

Date: October 20, 2003

Daphne Reddy  
Daphne Reddy  
Registration No. 53,507

**HELLER ERHMAN WHITE & McAULIFFE LLP**

**Customer No. 35489**

275 Middlefield Road

Menlo Park, CA 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638



10-22-03  
61

AF/1647-\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ashkenazi, et al. Docket No.: 39780-1618P2C32  
Serial No.: 09/902,903 Group Art Unit: 1647  
Filing Date: July 10, 2001 Examiner: Bridget E. Bunner  
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND  
NUCLEIC ACIDS ENCODING THE SAME**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
OCT 27 2003  
TECH CENTER 1600/2900

TRANSMITTAL

- ☒ Transmitted herewith are the following documents:
- (1) Transmittal;
  - (2) Notice of Appeal;
  - (3) Authorization to charge Deposit Account No. 08-1641 in the amount of \$330 for Notice of Appeal filing fee.
- ☒ The Commissioner is authorized to charge any required fees, or credit any overpayment to Deposit Account No. 08-1641.

CERTIFICATE OF MAILING (37 CFR 1.10(a))

CERTIFICATE OF MAILING BY "EXPRESS MAIL" - Rule 10: I hereby certify that this correspondence is being deposited on October 20, 2003 with the U.S. Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 as **Express Mail No. EV346725525US** addressed to: Mail Stop: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: October 20, 2003

  
Cheryl Ann Rogers



Attached is a postcard for date-stamped return as confirmation of receipt of these materials.

Respectfully submitted,

Date: October 20, 2003

Daphne Reddy  
Daphne Reddy  
Reg. No. 53,507

**HELLER EHRMAN WHITE & MCAULIFFE LLP**

**Customer No. 35489**

275 Middlefield Road

Menlo Park, CA 94025

Telephone: (650) 324-7000

Facsimile: (650) 324-0638